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PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 3762**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Keizoh KAWAGUCHI

Group Art Unit: 3762

Application No.: 09/895,178

Examiner: K. Drosch

Filed: July 2, 2001

Docket No.: 110006

For: HEART-SOUND DETECTING APPARATUS AND PULSE-WAVE-PROPAGATION-
VELOCITY-RELATING-INFO RATION OBTAINING SYSTEM USING THE
HEART-SOUND DETECTING APPARATUS

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

Sir:

AUG 18 2004

In reply to the February 13, 2004, Office Action, the period for reply ^{TECHNOLOGY CENTER R3700} being extended
by the attached Petition for Extension of Time, reconsideration of the above-identified
application is respectfully requested.

Claims 4-7 and 9-11 are pending in this application. Applicant appreciates the Office
Action's indication that claims 10 and 11 contain allowable subject matter.

The Office Action rejects claims 4-7 and 9 under 35 U.S.C. §102(e) over U.S.
Publication No. 2002/0035337 to Oka. This rejection is respectfully traversed.

The subject matter asserted by the Examiner to disclose the features of claim 4 was in
fact invented by Mr. Kawaguchi, the inventor of the instant application. Thus, Oka does not
satisfy the requirement of being invented by another, as required in §102(e).

To establish that Mr. Kawaguchi was the inventor of the relevant features, a Declaration under 37 C.F.R. §1.132 is attached and establishes that the relevant disclosure of Oka is Mr. Kawaguchi's own work.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Michael Britton
Registration No. 47,260

JAO:MQB/ale

Attachments:

Notice of Appeal
Declaration under 37 C.F.R. §1.132

Date: August 13, 2004

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Alexandria, Virginia 22320
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